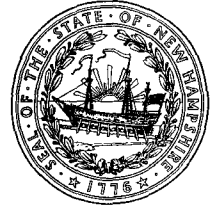




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Peter Spanos
Shalimar Resort
PO Box 780
Tilton, New Hampshire 03289

LETTER OF DEFICIENCY
WMB PBF 04-32
December 13, 2004

Dear Mr. Spanos:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On December 13, 2004, DES inspected the following public bathing facilities at the Shalimar Resort in Winnisquam, NH: the indoor pool ("Indoor Pool") and spa ("Spa").

During this inspection, the following deficiencies were noted:

1. Env-Ws 1103.15(c) requires a bromine concentration between 2.0 mg/L and 4.0 mg/L in public pool water. The bromine concentration of the Pool water ranged from 11.5 mg/L to 13.6 mg/L on December 13, 2004.
2. Env-Ws 1103.16(e) requires a bromine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L bromine. The bromine concentration of the Spa water was approximately 37.8 mg/L on December 13, 2004.
3. Env-Ws 1105.19(d) requires that all filtration systems turnover one pool volume every 8 hours. The turnover rate was determined to be approximately 13.8 hours at the time of inspection.

DES believes the cited deficiencies can be corrected within 30 calendar days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

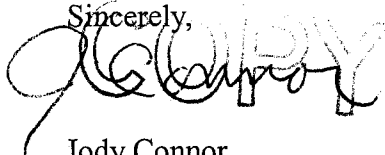
1. A copy of two weeks of water quality test results for all facilities (please do not send originals).

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

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We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,



Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7385

Enclosures

cc: Gretchen R. Hamel, Legal Unit Administrator, DES ✓
Tim Wilson, Public Bathing Facility Coordinator, DES
Joseph Plessner, Health Officer, Town of Tilton

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